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EXAMINER

DOAN, DUYN MY

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 03/27/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/996,727	Applicant(s) TSE ET AL.	
	Examiner Duyen M. Doan	Art Unit 2143	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 December 2005.
- 2a) ☒ This action is FINAL. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-6,8-18,20-32,34 and 36 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☐ Claim(s) 1-6,8-18 and 20-32,34 and 36 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 30 November 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

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DETAILED ACTION

Claims 1-6,8-18,20-32,34,36 are currently amended for examination.

Claims 7 and 9 are cancelled.

Claim Objections

Claims 34 and 36 are objected to because of the following informalities:

Claims 34 depend on cancelled claim 33. For the purpose of examination, examiner assumed that claim 34 is now depends on claim 32.

Claims 36 depend on cancelled claim 35. For the purpose of examination, examiner assumed that claim 34 is now depends on claim 32.

Appropriate correction is required.

Claim Rejections - 35 USC § 101

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 32, 34,36 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

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Each of the claims currently recite "data signal embodied in a transmission medium..." is non-statutory as not being tangible embodied in a manner so as to be executable.

In contrast, a claimed computer-readable medium encoded with a data structure defines structural and functional interrelationship between the data structure and the computer software and hardware components which permit the data structure's functionality to be realized, and is thus statutory.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-6, 13-18, 25-28, 32, 34 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badt, Jr. et al (us pat 6,496,476) (hereinafter Badt) in view of Badt-Nagasawa (us pat 6,094,682).

As regarding claim 1, Badt disclosed in a first management node of the management system, appending an identification of the first management node to a path portion of an alarm identifier field of the alarm notification (see Badt abstract, col.2,

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lines 3-12, each node through which the message passes would append its own unique node identification (ID) to the route information), the path portion comprising identifications of each other management node that handled the alarm notification before the alarm notification reached the first management node (see Badt abstract, col.2, lines 3-12, each node through which the message passes would append its own unique node identification (ID) to the route information).

Badt does not explicitly disclose transmitting the alarm notification from the first management node to a third management node of the management system; wherein the alarm notification comprises a system identification field for identifying a node that lastly handled the alarm notification, the alarm identifier field for identifying the alarm notification, and an alarm attribute field carrying an alarm payload.

Badt-Nagasawa teaches transmitting the alarm notification from the first management node to a third management node of the management system (col.7, lines 24-67, col.8, lines 1-21); wherein the alarm notification comprises a system identification field for identifying a node that lastly handled the alarm notification, the alarm identifier field for identifying the alarm notification (col.7, lines 24-67, col.8, lines 1-21), and an alarm attribute field carrying an alarm payload (col.7, lines 24-67, col.8, lines 1-21).

It would have been obvious to one with ordinary skill in the art at the time the invention was made to combine the teaching of Badt-Nagasawa to the method of Badt to have the alarm notification comprises a system identification field for identifying a node that lastly handled the alarm notification because by having the alarm notification comprises a system identification field for identifying a node that lastly handled the

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alarm notification would allow path information to be constructed simply and in a short period of time (see Badt-Nagasawa, col.4, lines 15-33).

As regarding claim 2, Badt-Nagasawa disclosed inserting the identification of the first management node in the system identification field of the alarm notification (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 2.

As regarding claim 3, Badt-Nagasawa disclosed the identification of the first management node is a system distinguished name (SystemDN), and the system identification field is a SystemDN field (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 3.

As regarding claim 4, Badt-Nagasawa disclosed the alarm notification is created by the first management node and the path portion of the alarm identifier comprises only the identification of the first management node (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 4.

As regarding claim 5, Badt-Nagasawa disclosed the identification of the first management node is a system distinguished name (SystemDN) of the first management node that identifies the first management node (see Nagasawa, col.6,

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lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 5.

As regarding claim 6, Badt-Nagasawa disclosed receiving the alarm notification by the first management node from a second management node, the path portion of the alarm identifier of the received alarm notification comprising a second the identification of the second management node (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21); wherein in step a), the first management node appends the first management node identification to the path portion of the alarm identifier field of the alarm notification (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 6.

As regarding claims 13-18 the limitations are similar to claims 1-7, therefore rejected for the same rationale as claims 1-7.

As regarding claim 25, Badt-Nagasawa disclosed A first management node acting to handle an alarm notification message, the alarm notification message comprising a system distinguished name field, an alarm identifier field and an alarm attribute field (see Nagasawa, col.4, lines 5-55, col.6, lines 58-67, col.7, lines 24-67), wherein when handling the alarm notification message, the first management node appends its identification to a path portion of the alarm identifier field, the path portion comprising identifications of each other management node that handled the alarm notification before the alarm notification reached the first management node (see Badt abstract, col.2, lines 3-12, each node through which the message passes would append

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its own unique node identification (ID) to the route information). The same motivation was utilized in claim 1 applied equally well to claim 25.

As regarding claim 26, Badt-Nagasawa disclosed the alarm notification message is received by the first management node from a second management node and is forwarded by the first management node to third management node (see Nagasawa, col.4, lines 5-55, col.6, lines 58-67, col.7, lines 24-67), wherein the first management node appends its own identification to the path portion of the alarm identifier field that already comprises an identification of the second management node (see Badt abstract, col.2, lines 3-12, each node through which the message passes would append its own unique node identification (ID) to the route information). The same motivation was utilized in claim 1 applied equally well to claim 26.

As regarding claim 27, Badt-Nagasawa disclosed the alarm identifier field of the alarm notification message further comprises a system distinguished name field where the first management node inserts its identification before forwarding the alarm notification to the third node (see Nagasawa, col.4, lines 5-55, col.6, lines 58-67, col.7, lines 24-67). The same motivation was utilized in claim 1 applied equally well to claim 27.

As regarding claim 28, Badt-Nagasawa disclosed receiving from the third node an alarm operation message identified by, and comprising, the alarm identifier field, and upon receipt of the alarm operation message, the first management node removing its own identification from the path portion of the alarm identifier field, and if another node's identification is detected in the path portion, forwarding the alarm operation message

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without its own identification to a node corresponding to the another node identification (see Nagasawa, col.4, lines 5-55, col.6, lines 58-67, col.7, lines 24-67). The same motivation was utilized in claim 1 applied equally well to claim 28.

As regarding claim 32, Badt-Nagasawa disclosed an alarm identifier field for identifying the alarm notification, wherein the alarm identifier field comprises a path portion comprising identification of each management node that handled the alarm notification before the alarm notification reached the second management node (see Badt abstract, col.2, lines 3-12, each node through which the message passes would append its own unique node identification (ID) to the route information), and an alarm identification portion comprising an alarm identification assigned by a creator node of the alarm notification; and an alarm attribute field carrying an alarm payload (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 32.

As regarding claim 34, Badt-Nagasawa disclosed the alarm is received by the first node from a third node, and the path portion further comprises a second identification of the third node (see Nagasawa, col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21). The same motivation was utilized in claim 1 applied equally well to claim 34.

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Claims 8-12, 20-24, 29-31, 35-36 are rejected under 35 U.S.C. 103(a) as being unpatentable over Badt (us pat 6,496,476) in view of Nagasawa (us pat 6094682) as applied to claims 1, 13, 25 and 32 above, and further in view of Fulford (us pat 6237034).

As regarding claim 8, Badt-Nagasawa discloses all limitations of claim 1 above, but did not expressly disclose e) receiving by the third management node the alarm notification from the first management node; f) sending an alarm operation message from the third management node to the first management node to instruct an operation regarding the alarm notification, the alarm operation message comprising an alarm identifier field for identifying the alarm notification on which the operation is to be performed which is identical to the alarm identifier field of the alarm notification; g) upon receipt of the alarm operation message by the first management node, extracting a path portion of the alarm identifier field received in the alarm operation message; and h) if the extracted path portion comprises not only one first member comprising the identification of the first management node, but also a second member related to the identification of the second management node: h.1) removing the identification of the first management node from the path portion of the alarm operation message's alarm identifier field; h.2) sending from the first management node to the second management node the alarm operation message without the identification of the first management node in the path portion.

Fulford teaches e) receiving by the third management node the alarm notification from the first management node (col.3, lines 11-56, col.4, lines 1-67, col.6, lines 10-49);

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f) sending an alarm operation message from the third management node to the first management node to instruct an operation regarding the alarm notification, the alarm operation message comprising an alarm identifier field for identifying the alarm notification on which the operation is to be performed which is identical to the alarm identifier field of the alarm notification (col.3, lines 11-56, col.4, lines 1-67, col.6, lines 10-49); g) upon receipt of the alarm operation message by the first management node, extracting a path portion of the alarm identifier field received in the alarm operation message (col.3, lines 11-56, col.4, lines 1-67, col.6, lines 10-49); and h) if the extracted path portion comprises not only one first member comprising the identification of the first management node, but also a second member related to the identification of the second management node: h.1) removing the identification of the first management node from the path portion of the alarm operation message's alarm identifier field; h.2) sending from the first management node to the second management node the alarm operation message without the identification of the first management node in the path portion (col.3, lines 11-56, col.4, lines 1-67, col.6, lines 10-49).

It would have been obvious to a person with ordinary skill in the art at the time the invention was made to incorporate the teaching of Fulford in Badt-Nagasawa such that have the alarm operation message send back from the third management node to the original node which produced the alarm because both Fulford and Badt-Nagasawa has taught inventions relating to alarm notification and acknowledgement in a management system.

A person with ordinary skill in the art would have been motivated to make the modification to Badt-Nagasawa because having the alarm operation message send back from the third management node to the original node which produced the alarm, would help in circulating alarm acknowledgement information within a telecommunication network (see Fulford col.1, lines 9-25).

As regarding claim 9, Badt-Nagasawa-Fulford disclosed if the extracted path portion comprises only the identification of the first management node, processing the alarm operation message locally in the first management system (see Fulford col.3, lines 11-56, col.4, lines 1-67, col.6, lines 10-49). The same motivation was utilized in claim 8 applied equally well to claim 9.

As regarding claim 10, Badt-Nagasawa-Fulford disclosed the alarm operation message is an alarm acknowledgement message (see Fulford col.4, lines 29-37). The same motivation was utilized in claim 8 applied equally well to claim 10.

As regarding claim 11, Badt-Nagasawa-Fulford disclosed the alarm operation message is an alarm acknowledgement message (see Fulford col.4, lines 29-37). The same motivation was utilized in claim 8 applied equally well to claim 11.

As regarding claim 12, Badt-Nagasawa-Fulford disclosed sending from the first management node to the second management node the alarm acknowledgement message comprising: the alarm identifier field comprising first, a path portion having the identification of the second management node and, second, an alarm identifier portion for identifying the alarm referred to by the alarm acknowledgement message; and an

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alarm attribute field carrying an alarm attribute identical to the alarm attribute field of the alarm notification (see Nagasawa col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21).

As regarding claims 20-24, the limitations are similar to claims 8-12, therefore rejected for the same rationale as claims 8-12.

As regarding claim 29, Badt-Nagasawa-Fulford disclosed receiving from the third node an alarm operation message identified by, and comprising, the alarm identifier field, and upon receipt of the alarm operation message, the first management node detecting its own identification from the path portion of the alarm identifier field, and if no another node's identification is detected in the path portion, processing the alarm operation message locally in the first management node (see Nagasawa col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21).

As regarding claim 30, Badt-Nagasawa-Fulford disclosed the alarm operation message is an alarm acknowledgement message (see Fulford col.4, lines 29-37). The same motivation was utilized in claim 8 applied equally well to claim 30.

As regarding claim 31, Badt-Nagasawa-Fulford disclosed the alarm operation message is an alarm acknowledgement message (see Fulford col.4, lines 29-37). The same motivation was utilized in claim 8 applied equally well to claim 31.

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As regarding claim 36, Badt-Nagasawa-Fulford disclosed the alarm identifier field comprises a string of alphanumeric characters identifying the path portion and the alarm identification portion (see Nagasawa col.6, lines 58-67, col.7, lines 24-67, col.8, lines 1-21).

Response to Arguments

Applicant's arguments with respect to claims 1-6,8-18,20-32,34,36 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the

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shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Duyen M. Doan whose telephone number is (571) 272-4226. The examiner can normally be reached on 9:30am-6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David A. Wiley can be reached on (571) 272-3923. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Examiner
Duyen Doan
Art unit 2143



JEFFREY PWU
PRIMARY EXAMINER